

**RECYCLING GRANTS TO RESPONSIBLE UNITS
AND
RECYCLING EFFICIENCY INCENTIVE GRANT PROGRAM
COMBINED AUTHORIZING RESOLUTION**

INSTRUCTIONS

The sample on the next page is a model of the authorizing resolution that is required and must be attached to an application for both the DNR's Recycling Grants to Responsible Units and Recycling Efficiency Incentive grant funds. If you already have a combined resolution on file and the information is current, you do not have to provide a new combined authorizing resolution.

The resolution authorizes the representative to file the recycling grant application on behalf of the responsible unit. The representative must be an official or employee of the responsible unit.

An authorizing resolution is NOT a substitute for a formal agreement between all responsible units that are party to a cooperative agreement. Such an agreement must comply with the provisions of s. 66.0301, Wis. Stats. This section of the statutes appears below.

66.0301 Intergovernmental cooperation. (1) (a) In this section "municipality" means the state or any department or agency thereof, or any city, village, town, county, school district, public library system, public inland lake protection and rehabilitation district, sanitary district, farm drainage district, metropolitan sewerage district, sewer utility district, solid waste management system created under s. 59.70 (2), local exposition district created under subch. II of ch. 229, local professional baseball park district created under subch. III of ch. 229, local professional football stadium district created under subch. IV of ch. 229, a local cultural arts district created under subch. V of ch. 229, family care district under s. 46.2895, water utility district, mosquito control district, municipal electric company, county or city transit commission, commission created by contract under this section, taxation district, regional planning commission, or city-county health department.

(b) If the purpose of the intergovernmental cooperation is the establishment of a joint transit commission, "municipality" means any city, village, town, or county.

(2) In addition to the provisions of any other statutes specifically authorizing cooperation between municipalities, unless those statutes specifically exclude action under this section, any municipality may contract with other municipalities and with federally recognized Indian tribes and bands in this state, for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law. If municipal or tribal parties to a contract have varying powers or duties under the law, each may act under the contract to the extent of its lawful powers and duties. A contract under this subsection may bind the contracting parties for the length of time specified in the contract. This section shall be interpreted liberally in favor of cooperative action between municipalities and between municipalities and Indian tribes and bands in this state.

(3) Any contract under sub. (2) may provide a plan for administration of the function or project, which may include but is not limited to provisions as to proration of the expenses involved, deposit and disbursement of funds appropriated, submission and approval of budgets, creation of a commission, selection and removal of commissioners, and formation and letting of contracts.

(4) A commission created by contract under sub. (2) may finance the acquisition, development, remodeling, construction and equipment of land, buildings and facilities for regional projects under s. 66.0621. Participating municipalities acting jointly or separately may finance the projects, or an agreed share of the cost of the projects, under ch. 67.

(5) No commission created by contract under sub. (2) may, directly or indirectly, do any of the following:

(a) Acquire, construct or lease facilities used or useful in the business of a public utility engaged in production, transmission, delivery or furnishing of heat, light, power, natural gas or communications service, by any method except those set forth under this chapter or ch. 196, 197 or 198.

(b) Establish, lay out, construct, improve, discontinue, relocate, widen or maintain any road or highway outside the corporate limits of a village or city or acquire lands for those purposes except upon approval of the department of transportation and the county board of the county and the town board of the town in which the road is to be located.

History: 1999 a. 150 ss. 348, 349, 352, 353; 1999 a. 167 s. 38; 2001 a. 16, 30.

SAMPLE OF AN AUTHORIZING RESOLUTION

Municipality Code ____ - ____

The following sample resolution is a model for the authorizing resolution required of all responsible units. The resolution will authorize the representative to file the Recycling Grants to Responsible Units and Recycling Efficiency Incentive grant applications. The representative must be an official or employee of the responsible unit.

RESOLUTION

WHEREAS, _____ hereby requests financial assistance under
(name of responsible unit)

s. 287.23, Wis. Stats., Chapters NR 542, 544 and 549, Wis. Admin. Code, for the purpose of planning, constructing or operating a recycling program with one or more components specified in s. 287.11(2)(a) to (h), Wis. Stats.,

THEREFORE, BE IT RESOLVED, that _____ HEREBY AUTHORIZES
(name of responsible unit)
_____, an official or employee of the responsible unit, to act
(authorized representative)

on its behalf to: Submit an application to the Department of Natural Resources for financial assistance under s. 287.23, Wis. Stats., Chapters NR 542, 544 and 549, Wis. Admin. Code;

Sign necessary documents; and

Submit a final report.

Adopted this _____ day of _____, 20____

Name

Title

Name

Title

Name

Title

I hereby certify that the foregoing resolution was duly adopted by _____

at a legal meeting on the _____ day of _____, 20_____.

Name

Title